

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the Address of Assignee is incorrect previously recorded on Reel 023892 Frame 0944. Assignor(s) hereby confirms the Assignment.
CONVEYING PARTY DATA	
Name	Execution Date
United States Surgical Corporation	01/26/2010
RECEIVING PARTY DATA	
Name:	Tyco Healthcare Group LP
Street Address:	60 Middletown Avenue
City:	North Haven
State/Country:	CONNECTICUT
Postal Code:	06473
PROPERTY NUMBERS Total: 4	
Property Type	Number
Application Number:	07874291
Patent Number:	5360417
Patent Number:	5542931
Patent Number:	5722958
CORRESPONDENCE DATA	
Fax Number:	(631)501-3526
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	631-501-5700
Email:	docket@cdfslaw.com
Correspondent Name:	Carter, DeLuca, Farrell & Schmidt, LLP
Address Line 1:	445 Broad Hollow Road
Address Line 2:	Suite 420
Address Line 4:	Melville, NEW YORK 11747
ATTORNEY DOCKET NUMBER:	203-DMC

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PATENT
REEL: 023915 FRAME: 0226

NAME OF SUBMITTER:

David M. Carter

Total Attachments: 4

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PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
United States Surgical Corporation	01/26/2010
RECEIVING PARTY DATA	
Name:	Tyco Healthcare Group LP
Street Address:	15 Hampshire Street
City:	Mansfield
State/Country:	MASSACHUSETTS
Postal Code:	02048
PROPERTY NUMBERS Total: 4	
Property Type	Number
Application Number:	07874291
Patent Number:	5360417
Patent Number:	5542931
Patent Number:	5722958
CORRESPONDENCE DATA	
Fax Number:	(631)501-3526
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	631-501-5700
Email:	docket@cdfslaw.com
Correspondent Name:	Carter, DeLuca, Farrell & Schmidt, LLP
Address Line 1:	445 Broad Hollow Road
Address Line 2:	Suite 420
Address Line 4:	Melville, NEW YORK 11747

ATTORNEY DOCKET NUMBER:	1502-0000 DMC
NAME OF SUBMITTER:	David M. Carter
Signature:	/David M Carter/
Date:	02/05/2010
Total Attachments: 2 source=00067872#page1.tif source=00067872#page2.tif	
RECEIPT INFORMATION EPAS ID: PAT1107787 Receipt Date: 02/05/2010 Fee Amount: \$160	

CONFIRMATORY ASSIGNMENT OF PATENT RIGHTS

WHEREAS United States Surgical Corporation ("USSC") has conducted business involving the research, design, manufacture, and sale of medical and surgical products (the "Business");

WHEREAS on April 1, 1999 USSC and The Kendall Company Limited Partnership ("Kendall") entered into an agreement known as the Contribution Agreement by and among USSC and Kendall ("the Contribution Agreement");

WHEREAS USSC, through the Contribution Agreement, assigned, transferred and delivered to Kendall all of its assets, properties, and business (excepting only the "Excluded Assets," as defined in Section 1.2 of this Agreement) of every kind and description; wherever located; real, personal, or mixed; tangible or intangible, including, without limitation, all right, title, and interest of USSC in, to, and under patents, inventions and any applications for the same;

WHEREAS The Kendall Company Limited Partnership on April 8, 1999 filed a change of name certificate in the State of Delaware changing the name of the limited partnership to Tyco Healthcare Group LP ("Tyco Healthcare");

WHEREAS as of April 1, 1999 and prior thereto, USSC held rights, title, and interest in and to the following inventions, and any and all improvements thereof, (hereinafter "the Inventions") which include;

the invention entitled VALVE ASSEMBLY FOR INTRODUCING INSTRUMENTS INTO BODY CAVITIES which is described in U.S. application serial no. 07/874,291 filed on April 24, 1992 and U.S. Patent Nos. 5,360,417; 5,542,931; AND 5,722,958 and any equivalents thereof in a foreign country, and, in and to, all United States and foreign Letters Patent, for the full term thereof, obtained or to be obtained for said invention and any continuation, division, renewal, extension or substitute thereof, and as to letters patent any re-issue or re-examination thereof;

WHEREAS USSC hereby desires to acknowledge and confirm its understanding that all rights, title and interest in and to the foregoing Inventions were transferred to Kendall (now Tyco Healthcare) by virtue of the Contribution Agreement and further desires to presently assign whatever rights, title and interest it may have in and to the foregoing Inventions to Tyco Healthcare;

WHEREAS Tyco Healthcare was a party to a patent infringement action brought in the Eastern District of Texas in 2006 captioned *Tyco Healthcare Group v. Applied Medical Resources Corp.*, Civ. Action No. 9:06-cv-151 ("the 2006 Action");

WHEREAS Tyco Healthcare and USSC are parties to a patent infringement action brought in the Eastern District of Texas in 2009 captioned *Tyco Healthcare Group LP and United States Surgical Corp. v. Applied Medical Resources Corp.*, Civ. Action No. 9:09-cv-176 ("the 2009 Action");

WHEREAS the district court dismissed the 2006 Action without prejudice on January 14, 2010, determining, *inter alia*, that, based on the evidence before it, Tyco Healthcare had not proved it held rights to U.S. Patent 5,542,931 by virtue of the Contribution Agreement

WHEREAS the district court ordered Tyco Healthcare and USSC to proceed to trial in March of 2010 on the claims of patent infringement asserted in the 2009 Action;

WHEREAS USSC and Tyco Healthcare desire to confirm their past and present understanding that all rights, title and interest in the foregoing Inventions were transferred to Kendall (now Tyco Healthcare) by virtue of the Contribution Agreement; and

WHEREAS USSC desires to ensure, regardless of any court's interpretation of the Contribution Agreement or any court's findings of fact or conclusions of law concerning the transfer of the patent rights under the Contribution Agreement, that whatever rights, title and interest in the foregoing Inventions that USSC may presently have be presently assigned to Tyco Healthcare

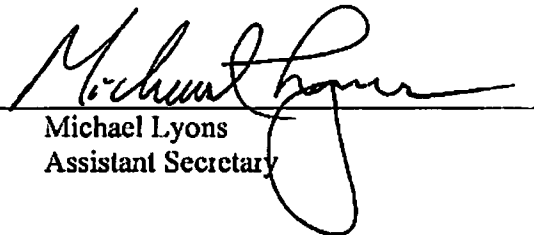
NOW THEREFORE in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR: USSC hereby sells, assigns and transfers to

ASSIGNEE: Tyco Healthcare Group LP

And the successors, assigns and legal representatives of the ASSIGNEE, any and all rights, title and interest USSC may have, including the rights to sue and to recover damages for any present, past and/or future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights, in and to the Inventions, specifically including U.S. Patent Nos. 5,360,417; 5,542,931; and 5,722,958.

UNITED STATES SURGICAL CORPORATION

By: 
Michael Lyons
Assistant Secretary

Dated: 1/26/10